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Application No. 10/688515
*Page 4**Amendment After Final*
*Attorney Docket No. E30.2B-11315-US01***Remarks**

This Amendment is in response to the Office Action dated July 28, 2006. For the reasons identified below, Applicant respectfully requests reconsideration and allowance of claims 1-17 herein.

Applicant submits this Amendment which merely adopts the Examiner's suggestions, presents claims in better form for consideration on appeal, removes issues from appeal, or only requires a cursory review by the Examiner in compliance with 37 C.F.R. §1.116. Applicant herein traverses the Examiner's rejection insofar as it may be applied against the claims as presented herein.

In the Final Office Action of July 28, 2006, the Examiner rejected claim 1 pursuant to 35, U.S.C. §102(e) alleging anticipation by Vukosic. The Examiner next rejected claim 2 pursuant to 35 U.S.C. §103(a) alleging the same to be unpatentable over Vukosic. The Examiner next rejected claims 3, 7, 11, and 13, under 35 U.S.C. §103(a) alleging the same to be unpatentable over Vukosic in view of Lau. The Examiner next rejected claims 4 and 5 under 35 U.S.C. §103(a) alleging the same to be unpatentable over Vukosic in view of Lau and Jankowski. The Examiner next rejected claim 6 under 35 U.S.C. §103(a) alleging the same to be unpatentable over Vukosic in view of Lau and Phillips. The Examiner next rejected claim 12 under 35 U.S.C. §103(a) alleging the same to be unpatentable over Vukosic in view of Lau and Bader. The Examiner then indicated that claims 8-10, and 14-17 were objected to as being dependent from a rejected base claim but would be allowable if rewritten in independent form to include all of the limitation of the base claim and any intervening claims.

On, or about, May 10, 2006, Applicant in a previous Amendment provided a priority chain for pending claim 1, indicating that Applicants claim 1 had a priority date of at least as early as August 4, 1999, which would overcome the October 14, 1999, date of the Vukosic reference. Applicant on May 10, 2006, for support of the claimed application made reference to U.S. Patent No. 6,461,008.

In the Office Action of July 28, 2006, the Examiner stated that U.S. Patent No. 6,461,008 does not show support as stated in claim 1 for a plurality of light emitting diodes engaged to said front and to said rear (of a support). The Examiner additionally stated "the patent does show LED's at a front and rear (Fig. 10), but this configuration is when separate

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structures 14 are placed back to back. Although the patent further states that it is possible for light to be output from the front or back of light device 70 the reference is silent as to how the LED's are arranged inside the light device 70. Thus, Applicant has not shown support for the claims support with LED's on the front and back as set forth in claim 1, and is not entitled to priority prior to October 4, 1999, and does not overcome the teachings of the Vukosic reference in combination with the teachings of the other applied references."

Applicant specifically traverses the assertion of the Examiner as to the lack of support within U.S. Patent No. 6,461,008 B1.

U.S. Patent No. 6,461,008 in column 21, lines 44-46, states that "additional or alternative warning light signals may be produced out the back 18 and sides of light bar 70".

In column 24, lines 61-66, the '008 patent states "for example, a front left location may produce a red colored light while simultaneously a front right location may produce an amber colored light and a right rear location may produce a green colored light and a left rear location may produce a blue colored light".

In column 29, beginning at line 12 through line 35, the '008 patent states as follows:

Also, the controller 50 may be utilized to simultaneously provide modulated or variable light intensity to different and/or independent sectors, areas, and/or sections 326 of the forward facing side or rearward facing side of the light bar 70 for the provision of different warning light signals or a different warning light effect on each side. In this embodiment it is not required that the forward facing and rearward facing sides of light bar 70 emit the identical visual patterns of illuminated light sources 30. The controller 50 may regulate and modulate the variable light intensity of any desired sector 326 of the forward facing side independently from the rearward facing side of the light bar 70. The controller 50 may thereby provide any desired pattern and/or combination of patterns of warning light signal through the utilization of variable and/or modulated light intensity for the forward facing side, and a different type of set of patterns and/or combination of patterns of warning light signals having variable or modulated light intensity for the rearward facing side of the light bar 70 as desired by an individual. It should be further noted that an infinite variety of patterns and/or combinations of patterns of warning light signals may be provided for the forward facing side and the rearward facing side of the light bar 70 at the preference of an individual.

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In column 44, beginning with line 39 through line 51, the '008 patent states:

Alternatively, a plurality of panels or modules 480 of LED light sources 336 may be formed along the front face 710, 764 of the light bar 704, 760 as well as a plurality of panels or modules 480 of LED light sources 336 along the rear face 712, 776 of the light bar 704, 760. It should be noted that the panels or modules 480 selected for the LED illumination sources 336 may be linear, square, rectangular and/or may have two or more sides, or may be a single illumination source at the discretion of an individual. Each individual panel or module 480 of LED illumination sources 336 may be independently illuminated by a controller 50 to provide one of a plurality of individual and distinct warning light effects as earlier described.

In column 50 beginning at line 58 through line 65, the '008 patent states:

In an alternative embodiment, a plurality of take-down lights 700 may be positioned adjacent to each other and disposed along the longitudinal length of a light bar 760 above the front face 764 and/or rear face 766. Alternatively, the take-down lights 700 may be formed of a plurality of LED light sources 784 positioned adjacent to each other along the entire length of the front face 764 and/or rear face 766 of a light bar 760. (Fig. 63)

In column 51, beginning with line 4 through line 17, the '008 patent states as follows:

As depicted in Figs. 31, 32, and 63, a single row of LED light sources 336, 786 is disposed on front face 764 and rear face 766 of LED light bar 760. Alternatively, a plurality of rows and/or columns of LED light sources 336, 786 as generally illustrated and described in relation to Figs. 7, 98, 12, 34, and 35 may be utilized on front face 764 and/or rear face 766 to provide a desired level of illumination from light bar 760. In addition, it should be noted that a linear culminator assembly 484 (Figs. 31, 32), or a culminator assembly 392 in the form of an array (Fig. 26), may be positioned adjacent to LED light sources 336, 786. Alternatively, reflectors 350 such as mirrors as illustrated in Figs. 37-39 may be engaged to front face 764 and/or rear face 766 adjacent to LED light sources 336, 786 to reflect light along a desired line of illumination.

In column 53, beginning with lines 49 through column 54, line 65, the '008 patent states as follows:

Referring to Figs. 63 and 64 an LED light bar 760 is disclosed. The LED light bar 760 may be formed of a base 762 which extends longitudinally traversing the roof of an emergency vehicle. The base 762 preferably includes a front face 764 and a rear face 766. Each of the front and rear faces 764, 766 preferably

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include LED illumination devices 336, 786 which may be configured similarly to the modular light support 480 identified and described relative to Figs. 31-32. It should be noted that the LED illumination devices 336, 786 along the front face 764 and rear face 766 are preferably positioned within the interior of the base 762 and are enclosed therein by a transparent protective cover 860 to minimize contamination from the environment and/or exposure to water during use of the LED light bar 760. The transparent protective cover 860 may be placed into sealing engagement with either the front face 764 and/or rear face 766 through the use of a gasket and/or sealant or any other preferred mechanical and/or chemical sealing mechanism as desired by an individual. The protective cover 860 as engaged to the front face 764 and rear face 766 is preferably formed of a transparent material such as plastic, and/or glass to provide for transmission of light from individual LED light sources 336, 786 for observation by an individual.

As earlier depicted with reference to Figs. 31 and 32 the LED light sources 336, 786 may be formed into modular units which may be regularly spaced along the front face 764 and rear face 766. The LED light sources 336, 786 integral to the front face 764 and/or rear face 766 are each preferably positioned within a culminator 370 as earlier described. It should be noted that the reflector devices as depicted and described with reference to Figs. 37-39 may be incorporated into modular light supports 480 for utilization along a front face 764 and/or rear face 766 of LED light bar 760. The number of light emitting diode light sources 336, 786 forming each individual modular unit 480 may vary at the discretion of an individual. Preferably each modular unit 480 includes between two and 20 LED light sources 336, 786. Each of the LED light sources 336, 786 is preferably electrically connected to a circuit board 346 having heat sink wells 344 as earlier described in reference to Fig. 36. The construction of the modular light supports 480 and LED light sources 336, 786 facilitates ease of color modification and versatile alternative configurations for light transmission from the light bar 760. The LED light sources 336, 786 as integral to the base 762 proximate to the front face 764 and/or rear face 766 may be formed of one or more colors at the preference of an individual. The modular light supports 480 may also preferably include electrical couplers to connectors 790 as earlier described.

Each modular light support 480 and/or individual LED light source 336, 786 is preferably in electric communication with the controller 50 as earlier described. The controller 50 preferably regulates the illumination of LED light sources 336, 786 to provide any desired color, pattern, combination of patterns and/or types of light signals including, but not necessarily limited to, flashing, stroboscopic, modulated, variable, pulsating, oscillating, alternating, rotating, illumination of arrows, and/or other types of variable light signals or combination of light signals as earlier described. The controller 50 may also preferably regulate the illumination of modules 480 and/or individual LED light sources 336, 786 independently between the front face 764 and the rear face 766. The controller 50 may also regulate the individual illumination of LED light sources

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336, 786 within sections and/or sectors along the front face 764 independently with respect to each other and independently with respect to the rear face 766. ... The controller 50 may additionally alternate any desired pattern of types of lighting effects independently between the front face 764 and/or rear face 766 as desired by an individual. The examples illustrated herein are, by no means, restrictive of the infinite variety of combinations or types of light signals which may be regulated by the controller 50 during use of the LED light bar 760.

In column 55, beginning at line 45 through 56, the '008 patent states as follows:

As earlier described a series of take-down lights 700 may be disposed proximate to the front face 764 and/or rear face 766 at the discretion of an individual. Each of the plurality of take-down lights 700 will preferably be coupled to a controller 50 for independent and/or selective illumination or illumination in combination, with other types of light signals as described herein. Alternatively, one or more of the independent light sources 336, 786 as disposed about the front face 764 and/or rear face 766 may be independently illuminated by the controller 50 to function and serve as a take-down light 700 utilized to flood an area in front of, or to the rear of, an emergency vehicle.

In column 57, beginning at line 64 through 67, the '008 patent states that "it should be further noted that any feature and/or combination of features described with reference to Figs. 1-66 herein may be modified for inclusion and use within either LED light bar 760 and/or pod illumination device 770 at the discretion of an individual".

The above-identified disclosure from the '008 patent provides extensive disclosure, structure, and teaching related to the support element in order to provide the priority basis for claim 1 as asserted by Applicant herein. The above-identified disclosure indicates various embodiments for light emitting diodes as engaged to the front and to the rear of a support. In addition, the above-identified disclosure from the '008 patent identifies how the LED's are arranged inside of a light support and/or light bar. Applicant respectfully asserts that Applicant has, in fact, shown the priority support for Applicants claims related to the '008 patent.

Applicant therefore respectfully asserts that Applicant is entitled to a priority date of at least as early as August 4, 1999, which is prior to the priority date for the Vukosic reference. Applicant therefore respectfully asserts that the Vukosic reference may not be cited

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against Applicants claims herein. Applicant respectfully requests the Examiner to reconsider and withdraw the final rejection of Applicants claims herein as based upon the Vukosic reference.

In addition, Applicant respectfully asserts that the Lau Patent Publication No. US2003/0169164 A1 has a priority application filing date of March 5, 2002. Applicant respectfully asserts that Applicants claim 1 has priority significantly prior to March 5, 2002. Applicant therefore respectfully asserts that the Lau Patent Publication '169164 may not be asserted as a prior art reference against Applicants claims herein. Applicant therefore respectfully requests the Examiner to withdraw the rejection of claims 3, 7, 11, and 13, as well as claims 4, 5, 6, and 12.

Applicant additionally asserts that the Jankowski '430 patent as reviewed by Applicant does not render obvious the elements of Applicants claims herein. Applicant therefore respectfully requests the Examiner to withdraw the rejections of claims 4 and 5 pursuant to 35 U.S.C. §103(a) over Vukosic, in view of Lau and Jankowski.

Applicant respectfully asserts that the Phillips reference reveals that the Phillips reference fails to render the elements of Applicants claims as provided herein obvious under 35 U.S.C. §103(a), Applicant therefore respectfully requests the Examiner to withdraw the rejection of Applicants claims over Vukosic in view of Lau and Phillips.

Applicant respectfully asserts that the Bader reference fails to provide any support or teaching to render Applicants claims herein obvious. Applicant therefore respectfully requests the Examiner to withdraw the rejection of claim 12 over Vukosic in view of Lau and Bader.

Applicant respectfully asserts that dependent claims are generally allowable if they are dependent from an allowable base claim. Applicant respectfully asserts that claim 1 herein is allowable over the prior art of record. Therefore claims 2-17 are also allowable over the prior art of record.

For the above-identified reasons, Applicant respectfully requests reconsideration and allowance of claims 1-17 herein. Applicant believes that claims 1-17 herein are allowable over the prior art of record as cited by the Examiner. Reconsideration to that effect is earnestly requested. Applicant respectfully requests reconsideration and allowance of claims 1-17 herein.

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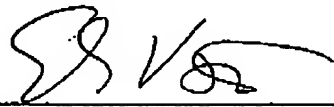
Should the Examiner have any questions concerning this Amendment, then the Examiner is cordially invited to contact the undersigned by telephone, facsimile, and/or E-Mail at the below identified address. If an extension of time is required to make this response timely and no separate petition is enclosed, Applicant hereby petitions for an extension of time sufficient to make the response timely. In the event that the response herein requires the payment of additional government fees and payment is not enclosed, please charge Deposit Account No. 22-0350.

Conclusion

It is believed that claims 1 through 17 in the present application are in condition for allowance in view of the foregoing. Applicant respectfully requests reconsideration of the claims herein and that the rejections be withdrawn and the claims allowed. Applicant respectfully requests the Examiner to reconsider the claims as amended herein which Applicant believes puts the application in condition for allowance. Early action to that effect is earnestly solicited.

Respectfully submitted,

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